

Appl. No. : 10/760,127  
Filed : January 16, 2004

### REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and the following remarks.

#### Preliminary Matters

Applicants note that the Examiner references the January 16, 2004 date of the filing of the present application, while the restriction requirement appears to be responsive to a May 27, 2004 preliminary amendment with Claims 1-20. Applicants also assume that the reference made by the Examiner to 35 U.S.C. § 112 for the further restriction within Group II is a typographical error and should read 35 U.S.C. § 121, and Applicants respond accordingly.

#### Restriction Requirement:

In the August 16, 2004 Office Action, the Examiner restricted Claims 1-20 under 35 U.S.C. § 121. The Examiner groups the claims as follows.

Group I: Claims 1-5, drawn to a magnetic memory device;  
Group II: Claims 6-20 drawn to a digital computer or a digital system. The Examiner requires election of one of the two groups.

The Examiner further states that if Group II is elected, then Group II is further restricted to:

Subgroup A: Claims 6-11 drawn to a digital computer; or  
Subgroup B: Claims 12-20 drawn to a digital system.

In response to the restriction requirement, Applicants elect, without traverse, Group II, Subgroup A, with Claims 6-11, drawn to a digital computer. Claims 1-5 and 12-20 have been cancelled as being drawn to a non-elected invention. Applicants reserve the right to pursue the cancelled claims in a divisional application.

#### Added Claims:

Applicants have added new Claims 21-31, also drawn to a digital computer.

#### Summary

In view of the foregoing, Applicants respectfully submit that Claims 6-11 and 21-31 are in condition for examination on the merits and request the same. If there are any remaining

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issues that can be resolved by a telephone conference, the Examiner is invited to call the undersigned attorney at (310) 407-3466 or at the number listed below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Sept. 10, 2004

By: \_\_\_\_\_

*Michael Okamoto*

Michael S. Okamoto  
Registration No. 47,831  
Attorney of Record  
Customer No. 20,995  
(310) 551-3450

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